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Functional Changes in the Trade Unions. From Intermediary to Fractal Organization?

Klaus Dörre

This contribution deals with developments in German Trade Unionism since the world economic crisis of 2008/09. Internationally, the crisis management of the German metalworkers' union IG Metall is held in high esteem and regarded as a role model. It seems as if social integrative corporatism has emerged triumphant from the crisis. However, appearances are deceptive. It is argued here that we are once again witnessing a functional change in trade unionism. Corporatism is acquiring a new meaning; it must not be equated with corporatism in the era of prosperous post-war capitalism. In societies marked by divided labour markets and expanding precariousness, corporatism generates different outcomes. Trade Unions run the risk of degenerating into mere representatives of pressure groups, aligning themselves with factions of the political and economic élite in order to further special interests. The concept of trade unions as intermediary organisations is no longer sufficient to explain this functional change.

Key words: Germany, trade unions, trade union functions, corporatism, crisis

„Die IG Metall hat Bundesverteidigungsminister Karl-Theodor zu Guttenberg vor einer massiven Kürzung des Rüstungsetats gewarnt. Mit den jetzt geplanten Einsparungen würden 30.000 Arbeitsplätze in Deutschland vernichtet und die „militärische Luftfahrtindustrie kaputt gemacht“, sagten EADS-Gesamtbetriebsratschef Thomas Pretzl und IG-Metall-Konzernbetreuer Bernhard Stiedl. Sie kündigten den Widerstand der Gewerkschaft an (...)“ *Meldung der Tagesschau vom 14.09.2010*

“The metalworkers’ union IG Metall has warned Federal Minister of Defence Karl-Theodor zu Guttenberg against a massive cut in the defence budget. By implementing the scheduled savings, 30,000 jobs would be wiped out and the “military aeronautical industry ruined”, stated the head of the EADS joint works council, Thomas Pretzl and IG Metall union co-ordinator for EADS, Bernhard Stiedl. They have announced union resistance (...)” News item on Tagesschau, broadcast 14 Sept, 2010

1. A particular situation in Germany?

The economy is only just beginning to come out of its decline, and the social consequences of the global financial market disaster cannot yet be measured even approximately, but one of the apparent losers can already be identified. At least in the centres of capitalism, labour and union movements are emerging from the crisis considerably weakened. This, at least, is the tenor of an international debate among renowned industrial relations researchers. According to their findings, neither the reduced scope of action brought about by the global financial and economic crisis, nor the unions’ reactions to the economic near-meltdown can inspire any confidence that organised representation of labour interests might be revitalised. A clear answer is given to the question whether unions might actually gain in strength in the wake of the global disaster: “Not at this time, not during this crisis!” (Crouch 2010; also Baccaro 2010; Hyman/Gumbrell-McCormick 2010; Regini 2010; Milkman 2010).

This is, of course, a diagnosis which can hardly surprise us. The fact that especially in situations of severe crisis, unions show a tendency of securing positions by means of negotiation and co-determination, instead of going for open conflict with the economic and political élites, was already identified by Rosa Luxemburg (1971: 39).¹ During economic crises with high unemploy-

¹ In reaction to German union leaders’ complaints in debate about the “chaotic” and “disorganized” character of the mass strikes in Russia, she mockingly retorted: “Dame History, from afar, smilingly hoaxes the bureaucratic lay figures who keep grim watch at the gate over the fate of the German trade unions. [...] And while the guardians of the German trade unions for the most part fear that the organisations will fall in pieces in a revolutionary whirlwind like rare porcelain, the Russian revolution shows us the

ment, the major power resources of the unions: control of labour markets and production processes, erode. In such situations, union leadership groups tend towards trading concessions from the government and organised capital for assuming the role of co-operative crisis management. Especially in Germany, union strategies of this kind have a long tradition, and in view of the 2008/2009 crisis, they were reintroduced; apparently with success. The actions of union leadership groups in Germany have been close to optimal with regard to practical application of the sociological concept of intermediary organisation. They have proven themselves as crisis managers, as their political bargaining has scored concessions (generous short-time work regulations, the so-called *Abwrackprämie* (scrapping bonus) and results (securing the jobs of permanently employed personnel) which in other countries could not be achieved even by means of militant protest.

The crisis-related weakening of organised labour interests, as well as the relative power of German trade unions, is of great consequence to the field of industrial relations research. For at first glance, both phenomena are clearly in contrast to a debate taking place in the context of what has become known as “Labour Revitalisation Studies”. Despite all the differences in the details, this discussion on revitalisation in the social sciences signals the possibility that the German trade unions might learn something from recent approaches at reorganising by some North American wage earners’ organisations as well as from the type of social movement unionism practiced in a number of countries of the Global South. (Brinkmann et al. 2008). At this point in time, such a debate already appears redundant before it has even started properly in Germany. What seems to be emerging from the crisis in triumph is the cherished old concept of corporatism. This is a development likely to also leave its marks on the science landscape. The notion of a trade union as an intermediary organisation, successfully mediating between member interests and interests of the system, while at the same time sharpening its profile as an advocate of ‘the’ interests of ‘all’ wage earners (Müller-Jentsch 2008), has, so it would seem, proven its continuing topicality and feasibility during the

exact opposite picture; from the whirlwind and the storm, out of the fire and glow of the mass strike and the street fighting rise again, like Venus from the foam, fresh, young, powerful, buoyant trade unions.”

crisis. And as if in symbolic acknowledgment of this concept, the conservative German chancellor has personally begun to re-intensify contact with top-level union functionaries.

Could it be that there really are reasons to hope for a “decent capitalism” (Dullien et al. 2011), for owners and managers who have learned that it makes sense to have the unions on board, and to grant their members at least a share of productivity increases instead of continuing to rely on quick profits, maximum returns, low pay and precarisation of labour? Does it make sense once again to employ an analytical pattern which at least implicitly grants trade unions the role of system-relevant mediators in the decision-making centres of society: a function the unions performed, if ever, then during the height of social bureaucratic capitalism? A rather different interpretation is presented below. What we are currently experiencing, according to the thesis advanced here, are yet further changes in the functions of trade unions, in close connection to structural changes in the relations between capital and labour, and the underlying social (class) conflict. On the surface, this kind of union activity appears to be based on reactivated patterns of corporative conflict resolution from the era of Fordist capitalism. Yet in a society where labour markets are split and precariousness is expanding, such corporatism has a completely different effect than during the days of prospering post-war capitalism. The analytical concept of trade unions as intermediary organisations is no longer an adequate instrument to provide an in-depth understanding of changes of this nature.

2. Trade unions as intermediary organizations

What reasons can be provided for such a point of view? As a basis for argumentation, it seems feasible to begin with a brief outline of the intermediarity concept, which is followed by a description of the contrasting Jena Power Resource Approach.

If it were merely a matter of defining intermediarity as ‘some sort of’ mediation between member interests and interests of the system, there would be no need to take a closer look at this category. Nearly all organisations of civil society assume the functions of mediators in developed, pluralistic capital-

isms. Yet in the context of trade unions, ‘intermediarity’ in the usage of the social sciences does in fact have a particular meaning. The concept claimed to be defining the term is that of the functional change of wage-earners’ organisations in the way it has taken place since 1945 in varying degrees of institutionalisation among the developed capitalisms of the Global North. During that historic phase, the restructuring of organised industrial relations was implemented on the basis of class compromise sustained by the welfare state in its respective national variants. In exchange for factually abandoning their system-transcending goals, the trade unions and to a great extent also the political mainstream of labour movements were ‘incorporated’ into the national states. Benefiting from the competing systems, and the interest of the US as one of the hegemonic powers to extend the burden of social costs to competing European national economies, a type of social-bureaucratic capitalism developed which combined the “anarchy of the markets” and the all-but-military principles of organisation of highly differentiated bureaucracies (Sennett 2006: 15).

During the exceptionally long period of prosperity after WWII, corporate bureaucracies and welfare states did indeed guarantee social stability and security. In this role, they were subject to the influence of a political economy of labour. At least in the capitalisms of continental Europe, lasting integration into the system could only be achieved by means of partial acknowledgment of collective labour interests and proletarian power. Such incorporation of organized labour interests can by no means be interpreted as mere “integration of class autonomy into the all-embracing logic of Capital”. It is just as much the expression of an “expansion of the working class, of its power and its organically grown influence” (Buci-Glucksmann/Therborn 1982: 121). Especially in the capitalisms of continental Europe, to a degree never before experienced in history, wage labour was linked to existence- and status-securing social property in the form of guaranteed pension claims, dismissal protection, work safety, co-determination rights and binding standard wages. Only by coupling the two, a civic status based on wage labour became possible, which despite continuing inequalities and patriarchal discrimination helped previously unpropertied classes in gaining respect as members of society.

The driving forces behind this development were workers' parties and trade unions. The more successful they became in their endeavour to secure a share in productivity advances for people in employment, and to provide them with collective rights of protection and participation, the more these organisations changed themselves. In the capitalisms regulated by a welfare state, the base of their strategic activities shifted from structural and organised power towards institutional power.² In the case of West Germany, this meant that the unions and their allies, the works councils, strove to utilise the 'intermediary logic' of the dual system of interest representation, the specific combination of collective bargaining autonomy and co-determination as efficiently as possible. This strategy made it possible to keep reinforcing institutional union power. In the capitalisms of the Anglo-Saxon type, especially in the US, the status of the social citizen and the institutional power of wage-earners never reached a comparable level. Yet it was possible also in that system to guarantee wage-earners a certain, limited, level of social security and stability for individual planning, despite the fact that management orientation was predominantly towards short-term profits.

The still dominant conceptualisations of organised labour interests in industrial sociology must be explained in the context of this historical background. After 1945, both in approaches based on state legislation and in competing liberal, pluralistic approaches, a 'pacification' of the class conflict was considered irreversible. All the greater the surprise when in the late 1960s, many Western European governments found themselves confronted with a return of worker militancy. Even in West Germany, *IG Metall* leadership temporarily lost control of its member base during the spontaneous "Septemberstreiks" of 1969 ("September strike").³ So, to the subsequently emerging kind of critical research on labour consciousness and trade unions, the paradigm of a consolidated (Briefs 1927: "*befestigten*"), generally recognised trade union which had become dominant after 1945 appeared in a

² On the notion of power, cf. the chapter on the Jena Power Resource Approach.

³ The "Septemberstreik" was a wave of spontaneous labour unrest in September 1969 in West Germany that affected some of the countries' most important industrial centres. It was characterised by largely autonomously organized strike activities which initially were not supported by the IG Metall.

different light. What needed to be explained was why the established union organisations, e.g. during the May 1968 riots in France, intentionally had a dampening effect on the radicalised basis. In retrospect, the empirical and theoretical research of that period starting out from this question complex contributed to making this phase one of the most fruitful in industrial sociology in terms of concept development. As a result, and in different, competing approaches, basic categories became predominant which since then have entered the standard inventory of labour and industrial sociology knowledge: the trade union as an *intermediary organisation* and the *dual system of interest representation*.

The concept of intermediary organisation conveys that in developed capitalisms, trade unions abandon their class-based dual character, in favour of a more pragmatic role of mediator between the interests of capital and the system on the one hand, and workers' or members' interests on the other. Walther Müller-Jentsch has caught the essence of extensive empirical as well as theoretical research in an important paper (Müller-Jentsch 2008), according to which five developments are relevant for a trade union to become an intermediary organisation: (1) a *change of form of union organisation*: a bureaucratised administration and professionalisation of functionaries have a weakening effect on intra-organisational cohesion; the objectives of the organisation and its members' needs tend to match less and less, in contrast to craft unions; (2) a *change of union interest politics*: the need to generalise interests in large, bureaucratic organisations has the added effect that qualitative interests are pushed to the bottom of the agenda in favour of quantitative ones (wages, working hours). The number of tasks performed on a co-operative basis decreases, while interest representation towards the outside increasingly becomes the central element of policy legitimizing the organisation. In the duality of the organisation's interests and member interests, latent conflict between member base and union management is inherent, where it is possible that the union management apparatus asserts itself in opposition to its members; (3) a *differentiation between shop-level and sector level interest politics*: even though there is no uniform pattern to be found in Western Europe after 1945, it can be said that on the whole, there is the intention of business management to keep the trade unions away from the shop floor.

Dual forms of representation are preferred by business management, and union presence can only be enforced by means of political or state intervention. But no matter which form of interest representation becomes dominant, bosses are required to arrange themselves and co-operate. The same applies, on the other hand, to shop-level interest representation, whose organisations assume a relatively autonomous position of power, while at the same time becoming an equivalent of the classic unions and their original central purposes. Such assumption of part of the burden by the shop-level organisations improve (4) the possibilities for *institutionalisation of the conflict relationship* between capital and labour in the arena of wage negotiations: economically motivated disputes can be isolated from political struggles, which makes it easier to channel class conflict. This kind of development is then subsequently made permanent by means of legislation. After recognition of the right to associate and to strike in earlier phases, group autonomous regulations are the third step towards institutionalisation of bargaining autonomy. As a consequence of the system of quasi-autonomous conflict regulation at shop level and collective bargaining level, the state appears as a neutral party. A growing feeling of familiarity in negotiations generates a climate of consensus between the negotiating parties. All of these developments have the effect that trade unions are recognised by the state as representative institutions. Unions are given public assignments, and thus a regulative function. Such changes in these organisations internally reduce the striving for solidarity, which is replaced by bargainable provision of regulative services, yet without any actual guarantee of social peace. Finally, increasing state interventionism facilitates (5) a *functionalisation of trade unions in economic policy*: in a complex play between power restriction and self-disciplining, the organisation is tied in as an element of state policy, gradually becoming a regulative power.

While these characteristics are still well within the scope of the criteria of “legally consolidated” trade unions, the concept of intermediarity reaches beyond Briefs’ (1927) definition in some points. What is communicated is, *first*, that for union leadership groups to give up their opportunities in the markets and the power game, certain preconditions must be met. The basis of such renouncement are a Keynesian economic policy and a type of corpora-

tism which “attempts to combine the leadership élites of trade unions and employers’ associations in one steering unit in order to co-ordinate economically relevant decisions” (Müller-Jentsch 2008: 61f.). *Second*, intermediarity does not necessarily mean forgetting about one’s capacity for conflict. Alternatives to co-operation do indeed exist. The differences to be observed in the balance between co-operation and conflict in interest politics represent nothing more than varieties of the intermediary trade union. Co-operation between the representatives of capital and labour becomes possible, because besides the antagonistic faction and industry interests, there are also compatible ones. Due to differences in the balancing out, definition and adaptation of these interests, variations in the models of trade union develop. The ideal types marking the opposing poles are the revolutionary union and the state union, with the intermediary union positioned somewhere in between. The latter is manifest in the variants of the co-operative and the conflictory union as well as in the form of unions whose methods include social contract bargaining.⁴ *Third*, the intermediary union is active in two environments. As social actors, unions aim at asserting the collective interests of their members, and as organisations, they assume integrative functions for the institutional, systemic environment. A fact of significance to both social and systemic integration is that the intermediary trade union, too, is dependent on using specific power resources. What applies in this context is that union power is associational power, and membership figures plus mobilisation potential are decisive power resources.

We must differentiate, though, between potential associational power and its manifest application. Manifest exertion of power in the form of strikes is to be considered more of an exception, which takes place when the parties’ interests are completely incompatible. Primarily, according to the concept of intermediary organisation, union interest assertion is based “on potential associational power; this is sufficient to achieve compromises between

⁴ The actions of the co-operative union are based on good behaviour in anticipation of a quid pro quo; the conflictory union utilises its disruptive potential to force concessions; social contract bargaining acknowledges that conformity is required, and, in return for keeping associational power reined in, expects reforms in the interest of labour.

interests in collective bargaining and the ‘political exchange’”. In this, the organisation exerts power in various directions: “The bargaining function of unions has the prerequisite of the organisations’s capacity to strike, i.e. that power can be exerted through its members. The representative function of a union is based on its being able to commit its members to comply with negotiated agreements, i.e. that it is able to exert power over its members” (Müller-Jentsch 2008: 69).

In retrospect, the concept of the “intermediary trade union” impressively, and in a clarity rarely accomplished in subsequent research, describes the transformation of wage earners’ associational power to institutional power, although without ever mentioning this last term. Institutional power appears as latent, unused power; it is not attributed any specific, particular quality or function in analysis. In consequence, the notion of integration remains on a single plane; the dimensions and contradictions of any kind of integration of wage-earner power tend to get lost in it, and the tension field of social and systemic integration is offered in replacement. Defining mainly the aspect of organisation, membership interests and their constitution process remain underexposed in analysis. The perspective of organisation is emphasized, while neglecting the membership angle: it appears as if the intermediary union as a regulative power has always been part of the system. This way, the trade union is conceptualised in an extremely functionalistic manner, while its members and their individual roles are hardly taken into account at all. Also according to this concept, interest regulation does require difficult balancing acts which can only be coped with if the organisation develops specific integration mechanisms (normative incorporation/integration of active members, collective/union/association ideology, political traditions) and selection instruments (socio-structural filtering of interests, separation of decision and participation). What is crucial, though, is that the intermediary union is declared an integral component of the system regulating labour relations.

In the developed capitalisms, the interests of labour are no longer represented exclusively by trade unions, but additionally also by labour administration and social insurance, as well as by shop-level interest representation. In the Federal Republic of Germany, a dual structure of collective bargaining

has developed as a particular characteristic. The institutionalised class conflict takes place by means of quantifiable demands in the arena of autonomous collective bargaining, while qualitative labour interests are a matter of shop-level interest representation. Only in cases where the works councils are overburdened, negotiations are shifted to another level. This dual system, on the other hand, is supported by collective securing mechanisms, by which wage earners' general reproduction interests are taken care of. Such incorporation in collective security systems makes it easier for the unions to concentrate on 'job owners'. Although the intermediary unions keep shifting between co-operative and conflictory forms of interest assertion, institutional integration has a kind of 'gravity effect' drawing them towards forms of co-operation. Thus, the former "schools of socialism" turn into pillars of a capitalism regulated by the welfare state (Müller-Jentsch 2008: 78).

3. The power resource approach

The above is at least the outline of an ideal-type reconstruction of the intermediary union. A significant weakness of this approach is revealed at first glance when observed in retrospect: in what way associational power, which to a great extent remains latent, is reproduced, and whether it is recognised permanently by the collective opponents, remains unclear in the model of unions as intermediary organisations. Accordingly, the concept's normative content has altered considerably. While originally intended as a criticism of fossilised, bureaucratic and centralistic structures of the institutionalised union,⁵ the concept of intermediarity has, in the course of time, become a model representing a conservative institutionalism. What the criticism was initially aimed at: the conflict-dampening effect of a professionalised apparatus combining subordinate interests in order to negotiate them on behalf of (all) wage earners, was more and more romanticised by declaring it a strength, especially in view of the crisis of what were formerly considered reference models of labour relations in Italy, France or the UK. By the mid-

⁵ And, it should be added, a left-wing criticism of neo-Marxist concepts of class autonomy as represented, among others, by the Abendroth school. On this subject, cf.: Deppe (1979).

1990s, the comparatively stable dual system in Germany had become something of an example for a Europe-wide reorganisation of labour relations (Müller-Jentsch 1995). In principle, all that remained of the bureaucracy criticism initially inspired by the notion of council democracy was the positive connotation of co-determination and shop-level interest representation in relation to industry-wide union organisation. Thus, in a phase of monetarism and deregulation, the kind of trade union research observing the matter from a libertarian, socialist perspective was given a social liberal foundation.

In analysis, the actual core problem of the intermediarity approach is that social changes are discussed exclusively from the point of view of a (de-)stabilisation of institutions. What in the original model was designed to reflect the availability of power resources, as the central prerequisite of effective representation of collective interests, got lost more and more as the concept was developed further. This deficiency is the starting point of the Jena Power Resource Approach. This concept, which is still at the stage of being formulated in detail, is constructed around the central notion that sources of worker's power (Silver 2003: 13-25) once again need to be made a point of reference from which to begin researching social conflict as well as the actors and institutions involved in it. To illustrate what the concept is aimed at and what it can (potentially) explain, its central categories are presented below in an appropriately condensed form.

First, wage earner power can be determined separate from a general definition of power. According to Max Weber, power is defined as "the probability that one actor within a social relationship will be in the position to carry out his own will despite resistance" (Weber 1978: 53). In connection to this, Michael Mann differentiates between four basic ideal types of power: economic, political, ideological and military power (Mann 1994: 46-56, esp. 50f.). In modern societies, these four basic forms are combined in particular ways. Thus, the authoritative, hierarchic power of states and corporate bureaucracies can be used to limit the diffuse, seemingly faceless power of markets. It is also possible, on the other hand, to strengthen market mechanisms in order to limit, e.g., authoritative power. But the correlation between de- and recommodification, which is a feature of long periods of capitalistic development (Yergin/Stanslaw 1999), is to a relevant degree dependent on a

power configuration which does appear in Mann's work, but is not made adequately concrete in its particularity by coining a term for it. What we are concerned with here is oppositional, counter-hegemonial, heterodox power.

In its origin, worker's power represents such a form of heterodox power exercised across the basic types of social power, as one that has economic, political and ideological qualities. The category of worker's power is used in analysis here, in the sense of wage earners' bargaining power, i.e. in an appropriately broad sense (Silver 2003: 13). A basic assumption is that more or less heterogeneous groups of workers and employees have the common interest to correct asymmetries in the exchange relationships between capital and labour by means of collective mobilisation of particular power resources. Up to the present day, attempts along these lines result in the formation of various kinds of workers' movements whose social base, forms of organization and objectives can differ quite significantly. Some pursue system-transcending goals (Marx-type labour unrest), others merely seek protection against competition generated by free markets (Polanyi-type labour unrest). They may have reactionist, nationalistic features, or even, as in the case of fascist mobilisations, include elements of terrorism (cf. Silver 2003: 20). In contrast to the implications of Marx's class universalism, which assumes that the "exploitation of the world market [has] given a cosmopolitan character to production and consumption in every country" (Marx/Engels 2009: 8), worker's power should therefore be referred to in the plural. For the presence of the leveling power of the markets encourages "an endemic tendency for workers to draw non-class borders and boundaries as a basis for claims for protection from the maelstrom" (Silver 2003: 22; Wright 2000). Also for this reason, it makes sense to speak of not only one movement, but a plurality of workers' movements which, depending on the situation, assemble their respective power base from different sources and combinations of social power.

In principle, we can differentiate between *structural* and *associational* wage earner power. Structural power accrues from the position of wage earners in the economic system. It can be manifest in the form of primary negotiating power resulting from a tense labour market situation, just as it can take the form of productive power constituted by a particular strategic posi-

tion of workers' groups within production processes. This must be separated from associational power, which is generated by association in collective political or union-type workers' organisations. Associational power can partly substitute structural negotiating and productive power, without completely replacing it. Structural power is often exercised spontaneously, it appears in the form of labour unrest, in sudden uprisings and situational outrage, just as it is present as sabotage or absenteeism in production processes (Silver 2003: 25ff.). In contrast, associational power is dependent on effective unions, parties or similar collective actors.

Additionally, a third source of worker's power can be named, which is *institutional power*. It unfolds as a result of negotiations and conflicts which are also argued out by means of structural or associational power resources. Its particular quality is the fact that institutions fix and to a certain degree legally codify basic social compromises across economic developments and short-term changes in power relations in society. Institutional power pre-forms negotiating procedures and action strategies of collective actors, works councils, trade unions and employers' association which can be considered verisimilar, plausible and binding even if power relations in society change drastically. Institutionalised resources can be used by trade unions, even in times when their associational power is declining. This is assuming, of course, that despite reduced bonding capacity among blue-collar and white-collar workers, wage-earner organisations continue to be accepted as authentic representatives of collective labour interests by governments and employers' association. Structural, associational and institutional wage-earner power develop in phases. One form of power emanates from another, yet not in the sense of strict linearity and permanent reinforcement. Over extensive periods of time, and depending on political as well as socioeconomic influences, the sources of wage-earner power continue to exist in varying combinations and organisational forms, and to some extent even in competition with one another. Under this perspective, changes in industrial relations systems and the functions of interest representation by means of trade unions can be identified and analysed as changes in the availability of power resources.

Compared to the conventional intermediarity approach, such a focus on power resources has several advantages. *First*, the power resource approach

is not limited to examination concentrated on organisations and institutions alone, but makes it possible to perceive the actors involved in social conflict in their plurality. This way, factors other than the classic elements of organised interest representation can be included in the analysis, such as social movements and non-normative conflicts and forms of combat. It is necessary to widen the field of view in such a way to be able to get some measure of understanding of the multitude and variety of protest and movement forms which have been developing since well before the global economic crisis, also in the developed capitalisms (Wacquant 2008; Waddington et al. 2009). *Second*, this approach makes it possible to analyse non-simultaneities brought about by, e.g., the parallel occurrence of a decline of institutionalised trade unions in some developed capitalisms on the one hand and the emergence of new labour movements in some countries of the global South on the other. *Third*, this approach could contribute towards creating a synthesis between daily, ‘real-life’ suffering under the capitalist system and social criticism based on scientific methods, by specifically targeting the so-called “hermeneutic contradiction” in institutions, the structural non-identity of institutionalised expectations/promises and the contrasting social conditions in reality (Boltanski 2010).⁶ And *fourth*, and most significant in this particular context, the approach makes it possible to analyse, in terms of power sociology, the *Landnahme* of financial capitalism, its effect on industrial relations and thus also the central prerequisites for a revival of trade unions’ capacity to act.

4. The erosion of worker power and the renewal of trade unions

Although depending on the respective power resources available, trade unions always have the opportunity to make strategic choices. They are not

⁶ In their co-authored work, Luc Boltanski and Eve Chiapello argued that the weakness of trade unions also indicates a crisis of science-based social criticism (Boltanski/Chiapello 2005: 273f.). Without an alternative “workers’ standpoint “documented by concrete data as can be gathered from union movements across shop floors and industries, “it is in fact difficult to counterbalance firms’ owns analyses of business developments whose content is geared towards concerns about profits“ (ibid.: 274). Otherwise, so their line of reasoning, social criticism remains detached as if suspended in the air, and from such a position, the working world appears as a conglomeration of circumstantial constraints wage earners have hardly any chance of avoiding.

all-powerful, though within the limits of certain courses of action, wage-earner organisations have been able to adapt more or less successfully to changing situations in society. Yet since the 1980s, such attempts have definitely been less and less successful, at least within the developed capitalisms. In most of these countries, there was relatively little the unions could muster up in opposition against the ‘top-bottom’ *Landnahme* of financial capitalism (Dörre 2009a). Since the 1980s, the unions have lost dramatically in associational power, also in Germany, and this process was accelerated by drastic socio-economic structural changes. A short-term increase in membership figures due to recruitment in the former German Democratic Republic (GDR) masked this development for a few years, but since then, the negative trend has continued without much interruption.⁷

With the associational power of unions in decline, there are also fewer incentives for capital to organize (Haipeter 2009). Collective agreements are losing their binding character, and union-free zones without participation or collective bargaining are expanding. By 2009, the proportion of job-holders paid according to union rates had gone down to 62% in Germany. Yet this is only one of many symptoms indicating that a decline in associational power also brings about an erosion of institutional power resources the German unions are also affected by. The fact that trade unions have gradually lost their institutional influence in social, health, pension and labour market policy, in the course of recommodifying reforms, is no less serious (Urban 2010; Streeck 2009; Gerlinger 2009). Around the middle of the past decade, it even seemed as if relevant factions among the political and economic élites were ready to complete the decline of union associational power and gradual weakening of institutional wage-earner power by means of symbolic, political debasement. A central prerequisite for intermediarity to work, the acknowledgement of trade unions as an indispensable regulatory power within the system, was suddenly no longer a matter of course. After the failure of the

⁷ After a long period of decline, in 2010, the degree of union organization was stabilised at a relatively low level in Germany. Smaller unions such as the NGG or the GEW even recorded increases in membership figures.

“Bündnis für Arbeit und Wettbewerbsfähigkeit”,⁸ a reform of the German model seemed possible only by weakening the trade unions. Leading economists declared that the high unemployment level was primarily due to union activities. Thus, Hans-Werner Sinn, head of the IFO-Institut, claimed that a “labour market in the stranglehold of the trade unions” has the effect that “in collective bargaining, wages are increased beyond the balance level”, with the effect of a “permanent surplus in exchanging the commodity of labour, which is what we call unemployment” (Sinn 2005: 143, 150).

Such kind of statements provided the ideological background for a policy that had the effect of weakening the trade unions, also institutionally, by means of deregulating the financial sector, and introducing an active labour market, among other factors.⁹ This development was the point of approach for the Jena group of researchers in their contemplations regarding a new concept of industrial relations research. In view of the crisis of union representation and the erosion of institutional wage-earner power, appropriate scientific analysis of the potential for renewal of (German) trade unions appeared possible only if new sources of power could be identified, or traditional ones reactivated. In such a situation, ‘strategic choice’ could only mean: revitalisation of trade unions by means of reinforcing associational power, e.g. through targeted organising also and particularly among under-represented social groups, through organisational restructuring, winning back members, campaign and movement orientation, as well as an innovative policy of alliances with social movements and NGOs in the reproduction sector in order to get access to external power resources outside the workplace (Brinkmann et al. 2008).

Such an agenda, represented by movement and organising unions not only in the US, but especially also in countries of the Global South, could not simply be transferred to the German system, of this we were sure. The national industrial relations systems were and still are too different for such a

⁸ The “Bündnis für Arbeit und Wettbewerbsfähigkeit” was an intermediating association including functionaries from politics, trade unions, and employees’ organisation established by the social-democratic Federal Chancellor Schröder in 1998.

⁹ Using three regions as examples: Dörre and Röttger (2006)

transfer to be possible without major problems. In the North American system of industrial relations, for example, works councils do not exist; if trade unions have been recognized by an enterprise, (often) the entire workforce is considered unionised. In contrast, in Germany, the trade unions generally do not have direct access to the shop floor, they require the assistance of elected shop-floor interest representation, whose members may or may not be unionised. Therefore, in Germany, any attempt at organising new areas often means that works councils need to be established first.

Due to such institutional divergence and greatly different union traditions, many scientific observers were rather sceptical about whether and how the experiences made by North American organising unions could be transferred to the German situation (e.g. Frege/Kelly 2003). For a long time, in the severely legally-oriented German system of industrial relations, aggressive membership canvassing was not considered an essential instrument. Compared to other countries, the unions rarely had to resort to the means of membership mobilisation due to their being institutionally embedded to such a great extent. Additionally, in Germany, the erosion of institutional negotiating power had by no means progressed as far as in the Anglo-Saxon-type capitalisms. On the other hand, German social movements and NGOs were far weaker, so that forming alliances with these could not have compensated for dwindling union associational power. This is yet another reason why the majority of unions associated in the *Deutscher Gewerkschaftsbund* (DGB) shied away from sacrificing the negotiating power they still had at their disposal, from participation and the collective bargaining system, in favour of a risky policy of forming alliances with opposition movements.

Nevertheless, in spite of all justified warnings against unreflected adoption of practices derived from different industrial relations models, certain organising approaches have quickly made it to the top of the list in a number of DGB unions. In the metalworkers' union *IG Metall*, a special campaign department devises organising projects. The service sector union *Ver.di* is testing organising methods in hospitals as well as the retail and security trades. The *Gewerkschaft Bau, Agrar, Umwelt* (IG BAU) is training organisers and making an effort to aggressively recruit new members. Learning processes can be observed also in areas of organisation where there is no

purposeful orientation towards organising approaches or where they are explicitly rejected. At first glance, the adoption of individual instruments of the organising approach appears to be relatively uncomplicated. Thus, a *Ver.di* campaign addressed to the discount food chain LIDL was explicitly devised according to the example of North American unions' comprehensive campaigns. A further example is campaigns aimed at improving representation and at recruiting precariously employed persons. In this respect, the minimum wage campaign, which is meanwhile supported by several DGB member unions, can hardly be overestimated in its symbolic political function. Decentralised initiatives are just as important. Numerous DGB sections have thus begun to gather data on the development of precarious employment. In the organisational sphere of the *IG Metall*, there are initiatives aiming for equal pay and equal treatment for temporary workers, or at least to improve their situation and to unionise them. In this they are supported by the staff associations of large temporary staffing companies. There are further examples of possibilities for a participatory renewal of German trade unions, among which especially the beginnings of a revenue-sharing bargaining policy, the innovation-oriented campaign "*Besser statt Billiger*" ("Better instead of Cheaper") or the innovative project "*Gute Arbeit*" ("Good Work"), both initiated by the *IG Metall*, should be mentioned.

At least until the global crisis, this was the position of the Jena group of researchers. The question no longer seemed to be *whether*, but *in what way* the experiences made across the Atlantic could serve as learning material. These first tender buds of union revival have so far not been subjected to critical analytical observation, and these approaches have not all been squashed by the crisis and its consequences. Yet in one significant respect, the situation has changed severely. Organizing, in the 'broad sense' we favour, involves an organisational change demanding political unionism, a priority of matters such as equality and fairness over economic efficiency, and a wide range of tactical and strategic measures including conflictory practices (Brinkmann et al. 2008: 110). Such a comprehensive organizational change can hardly be expected to be implemented as long as in the socio-political arena, the motto is selective involvement of the unions, and union leadership groups are all too happy to accept offers of this kind while giving

up on any kind of serious opposition, not least due to massive doubts about the mobilisation capability of their organisations.

This is how the positioning has changed in the course of the two crisis years. The door which had been about to slam shut on the unions, leading to deals among the élites under inclusion of union leadership groups, has suddenly begun to open again. The so-called “Krisenkorporatismus” (“crisis corporatism”: Urban 2010; Ehlscheid et al. 2010: 43-49) in Germany was successful because in the course of the global economic disaster, the political and the economic élites became divided. The political élites were startled by the crisis and looked around for allies who might support their crisis management. Fear of losing their own positions of power, and insecurity because the multitude of free-market-orthodox political advisors had failed, induced parts of the weakened political class to resume intense co-operation with those representatives of organized labour interests who before the crisis had been sent to bed without dinner (Roth 2010: 119-130). This is the main reason why the German unions were permitted to make a comeback. This very return to the scene is about to disprove one of the core theses of the debate on labour revitalisation. For the German unions appear to be continuing to act in a path-dependent manner, in path conformity. At least at first glance, the key to their success is nothing much else but dear old classic corporatism.

Without exaggerating, we can say that the German unions, and the IG Metall in particular, have shown great skill in coping with the effects of the crash by means of short-term crisis management 2008-2010. If around the middle of the decade, the unions were vilified by public opinion as stick-in-the-mud reform spoilers, they are now being praised as the architects of the German post-crash ‘*Beschäftigungswunder*’. It is indeed a fact that the supposedly ailing ‘Rhine capitalism’ has survived the global financial and economic crisis in much better condition than its global countermodel, Anglo-Saxon market-centred capitalism (Müller-Jentsch 2009: 61-70). Even though the economy in Germany has sustained its greatest decline since 1949, the negative effects on the labour market anticipated by many have manifested only to a very limited extent. Relatively conventional measures such as long-term short-time work and the so-called *Abwrackprämie* (scrapping bonus)

made it possible to secure the jobs of most of those in permanent employment. Such co-operation appears to be paying off for the German unions. In anticipation of the coming wage negotiation round, for the first time in a long period, DGB member organisations feel they might begin to make headway again. Even experts known for their affinity for the entrepreneur's position publicly advocate making use of the scope for redistribution to increase wages. Their recommendations for wage increases by no means reflect the profits and returns many globally oriented companies have realised during and after the crisis;¹⁰ yet for the first time in many years, the trade unions can be relatively certain that their wage demands are not made in defiance of public opinion.

If we neglect to look at the details, this seems to be an un rebuttable confirmation of the concept of trade unions as intermediary organisations. In political exchange, the unions are acting as a system-stabilising regulatory factor, and via this regulatory function, they represent their members' interests. In return, except for one symbolic DGB convention on capitalism, the unions are prepared to do without a noisy settling of accounts with the economic and political élites. In particular, they are avoiding the matter of questioning the entire system, an issue even radical free-market economists fidgeted over for a short while. The German unions' concern about the continuing existence of those industries they still have a foothold in makes them ask for nothing extra in exchange for their active involvement in crisis management. This means that the unions prioritise the system-stabilising "logic of influence" while trying to keep the problem of declining associational power and capacity for conflict shelved.

5. A divided labour market and conservatism in interest policies

These are the facts of the situation in Germany. Is this really still the traditional corporatism, the corporatism which even in earlier phases mostly took effect indirectly and selectively? To put it clearly and unmistakably: the

¹⁰ In 2010, the DAX-listed companies alone recorded a 75% increase in profits. For the coming years, profit increases of 10 to 12% are explicitly expected (*Frankfurter Rundschau* 2010: 12f.).

answer is 'No'! "Crisis corporatism" is a particularistic action strategy, as it does not seriously question the rifts in the labour market and between groups of subordinates the *Landnahme* of financial capitalism has created, but on the contrary, contributes towards widening them further, although unintentionally to some extent. As a consequence, corporative integration means something very different than in the days when Fordist capitalism was at its height. And it does not mean a return to the 'selective corporatism' of the 1980s and 1990s. At that time, the term was used in the sense that the kind of interest representation by means of unions which relied on a relative balance of power only reached parts of the working population (Esser 2003: 78). The policy of safeguarding jobs the German unions implemented during the crisis is not merely a policy to the benefit of the diminishing regularly employed workforce. It results from exclusive solidarity, perpetuates mechanisms of secondary exploitation (Dörre 2010a: 125f.), and partly, not even the attempt is made any longer to make the claim of representing wage earners' interests in general. In other words, this is at best a corporatism of weakened partners which somehow works because it is merely aggravating the power imbalance already present in the labour market. Where employment risks are systematically offloaded on the precariously employed, the rifts that could be observed before the crisis become even deeper. One consequence of this is that the erosion not only of the unions' associational power, but also of their institutional power is progressing further: a development which cannot fail to have an effect for those regular employees to which union representation still extends.

The following striking examples serve to illustrate these developments in the German labour market. In concert with the newly created market for corporate control, shareholder-value-driven forms of management and the 'short-termism' of management decisions had created a situation already before the crisis where no longer merely the peripheral staff were employed in flexible jobs. Additionally boosted politically by the labour market reforms of Schroeder's red-green coalition government, increases in the figures of employment relationships are primarily to be found among the so-called atypical forms of employment. Before the climax of the global economic crisis in 2008, already 7.7 million people were in atypical jobs (such as part-

time, temping, fixed-term employment, marginal employment), with a further 2.1 million in self-employment. Within ten years, the number of atypical employment relationships has increased by 46.2% (with an increase of marginal employment by 71.5%) and of those in self-employment by 27.8%. This is in contrast to the number of normal employment relationships (over 20 hours per week, for one employer), which has gone down by 3%. This trend has been continuing since the crisis. In 2010, a year of economic revival, a new record in employment figures was reached with 40.37 million job holders, yet compared to 2008, the number of full-time jobs has gone down by yet a further 200,000 (Süddeutsche Zeitung 2011: 19).

It should be considered that not every case of atypical employment is necessarily precarious; yet on average, non-standardised jobs also mean a noticeably lower income and higher risks of unemployment and poverty. At the centre of the zone of precariousness lies the low-wage sector, which in Germany is expanding more rapidly than in any other European country. In 2009, approximately 20.7% of the workforce were employed in the low-wage sector, meaning that – partly even in permanent jobs – they earn less than two thirds of the median wage (EUR 9.06 per hour before tax). Among these, the largest groups are women and persons with low qualifications. Yet about three quarters of all low-wage earners have completed professional training, and 7% even have an academic degree. So despite the fact that qualifications exist, the German low-wage sector, when comparing it internationally, is characterised by a low degree of upward mobility and enormously high wage disparity. In extreme cases, wages are down to as low as EUR 1.50 to 2.00 per hour (e.g. for motorway toilet attendants or self-employed hairdressers renting a chair at a salon). This is possible because despite the fact that officially, unemployment figures are going down in Germany, the reserve army of underemployed persons is shrinking only very slowly. If all persons in job-creating measures, persons in ‘one-euro jobs’ and persons temporarily unfit to work are added to the official unemployment figures, then unemployment has gone down from 4.9 million in 2007 to just over 4.7 million in March 2010. So on the whole, the actual figure is “closer to five rather than around three million unemployed” (Astheimer 2010: 9).

This is consistent with the fact that the number of persons who, in addition to their wages, require further support in the form of unemployment benefit (*Arbeitslosengeld II*) is rising continually.¹¹ For 2009 alone, an increase by 5% (corresponding to 71,000 job holders) can be observed. If all those eligible for *Arbeitslosengeld II* did actually claim these benefits, the number of “*Aufstocker*” (German jargon, approximately: “topper-uppers”) would suddenly go up by about 2 million persons (Bruckmeier et al. 2007). But precariousness is by no means limited to the lowest segments of the labour market. It is present in a great variety of combinations in nearly all labour market sections (Pelizzari 2009). The emergence of a sector where wages are pushed below the actual value of labour has an effect on the still-organised segments where employment is as yet relatively secure. In view of domains where collective bargaining and participation no longer work, and in their place, repression is traded for fear (Artus et al. 2009), regular employees are beginning to see their permanent jobs as a privilege to be defended with tooth and nail, even to the disadvantage of ‘weaker’, precarised interest groups.

For this reason, precarisation has the effect of a system of power and control that makes regularly employed staff members toe the line as well (Dörre 2009b). The disciplining régime of precariousness works in such a way that the ongoing erosion of the male-dominated normal employment relationship fails to bring about any further democratisation of gender relations. It is a fact that patriarchal structures have to some extent been eliminated and, at least in West Germany, women’s opportunities for access to regular wage labour have improved, although incentives to live one’s life according to the model of the family with a single male bread-earner still exist. In spite of all its value to emancipation, this development, supported to a relevant extent by the feminist movement, does also have a negative aspect. The potential of

¹¹ In the understanding of the German Federal Employment Agency (*Bundesagentur für Arbeit*), this form of topping up an income is intended for persons who in addition to regular unemployment benefit (*Arbeitslosengeld I*) require further transfers from the funds intended for basic material security, i.e. *Arbeitslosengeld II*, known in Germany under the term “*Hartz IV*”. In our context here, the notion is used in a broader sense, as usual in the debate, and applied also to employed persons who cannot secure their existence on their wages alone.

redundant female employees is an excellent way of reactivating the very reserve army mechanism which had been out of action for a short period in the socially integrative wage-labour societies with their organised labour markets. And beyond this, the subjective preparedness to accept insecure job conditions tended to be more pronounced among women, which has contributed towards a development where the gradual feminisation of wage labour is closely linked to the increase in precarity (Aulenbacher 2009: 65-80).

The historically new type of discriminating precariousness, with its particular quality of increasingly affecting previously protected groups, has no precedent as far as its direct contact to the still relatively protected segments of the labour market. In developed countries, at the top end of the job pyramid, we increasingly find qualified service jobs in proximity to management. In such jobs, one tends to find the type of the creatively working option-maximising self-manager. Such mostly highly qualified employees and freelancers are constantly busy sounding out options. It is part of their habitus never to say no. They tend to be uncomfortable with the idea of time margins and kick-back time. They are constantly on the lookout for opportunities for action, as any missed option might turn out to result in a loss of individual status. Though the lower a person is positioned in the job hierarchy, the more difficult one will find it to enjoy the advantages of flexible employment, and to compensate for the disadvantages of impermanent contracts by means of satisfying creative work. To the greatest part of the actual precarious workers, those who are, for a longer period or permanently, dependent on insecure, badly paid, low-status jobs which are unsatisfying regarding content, such forms of compensation are virtually out of the question. In such cases, the principle of cumulation of risks and burdens applies.

The actual extent of social polarisation in the labour market only becomes clear, though, if we take a glance at the global labour force. Also on a global scale, there have never been more people dependent on wage labour than today. Yet people in regular, relatively protected jobs represent only about 20% of the global labour force, with a further 20% in the precarious sector, and a full 60% (1.8 billion people) existing on informal work, selling their labour without any kind of work contract. 700 million of these informally employed persons live on less than 1.25 US dollars per day and thus in

absolute poverty (ILO 2009; Jütting/de Laiglesia 2009; Roth 2010: 157f.). Many of these informally employed people are integrated into trans-national value-adding chains. Whether this can indeed be construed as the expression of a global tendency towards homogenisation (Roth 2010) is questionable, though. At present, the trans-national hierarchisation of wage labour is rather having the effect that people with regular jobs are also increasing their efforts to defend what remains of their social property against any claims made by migrants.

6. From intermediary to fractal organization?

After this close look at the restructuring process in the labour markets, we can identify more precisely what the postulated changes in the functions of trade unions and social (class) conflict actually are. Despite, or possibly because of, their uncontested successes in managing the crisis, the German unions now are also in danger of becoming mere pressure group agencies, representing the regular employees in specific branches such as the automotive, supply, chemical or pharmaceuticals industry. This applies especially to the industrial unions, who, in face of the accelerated structural changes, are tending towards representing the interests of minority groups of wage earners. For like a catalyst, the global crisis has speeded up the sectoral changes even further: in 2010, only 18.9% of the workforce were still employed in industry (excluding construction) (1991: 29.3%), while 73.5% had jobs in the service sector (1991: 59.5 %). Even when taking into account that spin-offs and outsourcing practices have led to a rapid expansion of business-related service provision, and the existence of numerous services is indirectly dependent on industrial enterprises, such data send the unmistakable signal that the interest situation of industrial workers among the entirety of wage earners is by now nothing more than a mere minority point of view, although still a very significant one in strategic terms.

To keep presenting such a narrow focus on particular interests as representation of ‘the’ interests of ‘the’ wage earners is becoming more and more difficult for the industrial unions. The extreme example quoted at the very beginning, of conservative interest policy in the arms industry, provides a

colourful illustration.¹² What is new here is not so much the articulation of particular interests, a phenomenon observed repeatedly in the course of union history. The new thing is that these particular interests of minority factions of wage earners can hardly be combined with the perspective of collective upward mobility any more. This fact motivates shop-floor interest representation and trade unions to protect those industries where most of their remaining members are employed. Their behaviour is that of a pressure group, representing partial interests of members in alliance with sections of business and the respectively favoured factions of the political class, also in opposition to super-ordinate, all-encompassing reproduction interests of society. Corporatism is always selective, but we are concerned with a special kind of selectivity here, because the partial interests represented can hardly be reconciled with the idea of general wage earners' and reproduction interests, in whatever way these may be defined. Representing the employment and income interests of minority factions of wage earners means a development from intermediary organisation towards a *fractalised interest association*, a *fractal union*.¹³

The term *fractal union* used here was coined in analogy to certain 1990s management concepts. The model of fractal organisation consisted of a parent company subdivided into numerous decentralised units, with the parent co-operating with networks of loyal suppliers. In this kind of decentralised organisation, there was always the danger of fractals becoming too independent. What was supposed to be considered the common group interest was subject to constant definition struggles and negotiation processes. The situation of the fractal union is similar. It, too, can refer to a general social or class interest, subject to interpretation, and would thus become a modern networked union, but not necessarily so. What can also be the case is that it limits itself to the role of mediator for the partial interests of still relatively protected groups of wage earners. Such a union would no longer be an inter-

¹² This position as quoted on *Tagesschau* would definitely not be shared by a majority of *IG Metall* members. Yet until not so long ago, such a statement would have triggered a wave of indignation within the organisation.

¹³ Translator's note: the German term used by Klaus Dörre is *Fraktalgewerkschaft*.

mediary organisation with the capability to centralise wage earners' interests, but merely a loosely organised association of influence groups with weakly developed or at least relatively non-committal general objectives. The fractals are thus no longer attracted by a centre of gravity, but tend towards existing as organisational power centres by themselves. As a consequence, a heterogeneity of interests is cultivated, which changes the dynamics of the former, traditional mixed system of dual industrial relations with regional bargaining, shop-floor specialisation and loose national co-ordination to a kind which is much harder to control. To put it more precisely: the fractal union is primarily interested in securing the existence of the industries and companies where members still represented by them are employed. Other interests are considered subordinate to the aim of maintaining this status quo. What is crucial in this is that, in order to remain capable of acting at all, it needs to pander to the power centres *within* those companies where it still maintains representation. These power centres and the works council leadership of the large German export-oriented companies are more or less the same. Not only do the latter have specialist knowledge about their companies, they also have interpretive dominance over the members who are represented by them and who are unionised to a relevant degree. Without co-operation from these shop floor power centres, especially the industrial unions would lose most of their capacity to act. This is why within the union organisation, they form the centres of gravity to the relatively autonomous fractals.

The transition to the fractalised union is not taking place by suddenly dumping the model of the intermediary organisation, it is rather more of a gradual process where the inner contradictions of this outdated type of organisation are intensified, accelerating the change. The (1) *professional apparatus* with its specific interests remains, though in structure and composition it is adapted according to the objectives of a conservative industrial policy. This mainly happens by means of a gradual shifting of the power centres within the organisation. As a rule, the leaders of the works councils of large company groups with comparatively highly unionised staff are the ones calling the tune internally. This does by no means imply that union leadership groups enforce the organisation's interests in opposition to its members. On the contrary, (2) *protective interests of groups of employees* are served who

still have quite a bit to lose. In their self-perception, these mostly qualified blue- and white-collar workers are groups in the course of a collective social descent fighting for the remains of their social property. In this respect, the conservative interest policy corresponds to basal security needs of these groups and can even be extended to qualitative work and reproduction interests, in contrast to the quantifying logic of the intermediary organisation, though only highly selectively and only while the respective companies remain competitive. A consequence is that from the perspective of union leadership groups, to adapt to the partial interests represented by the works councils appears quite rational, because only by doing so, the (3) *capability to implement union interest policy to a great extent* can be guaranteed, while the ‘opportunism’ of shop-floor interest representation can at least be limited. The use of a particular form of wage earner power, which is based primarily on control over still partly protected company-internal labour market segments, in principle represents a ‘Polanyian’ reaction by specific groups of wage earners to market-driven competition and insecurity. This is a variety of exclusive solidarity in the attempt to maintain the ‘pacification’ of class conflict by (4) asserting that the *promise of protection through institutionalised industrial relations* should no longer or only to a limited extent apply to certain groups. So in the case of the fractalised interest association as a type, (5) we are no longer concerned with a *functionalisation of ‘the’ unions* as part of an economic policy. Rather, parts of the political élites are using the wage earners’ organisations as a kind of ‘transmission belt’ to secure access to the corporate level which otherwise is closed off to them.

The most obvious changes, though, can be identified in the macrosocial conditions of action, the balancing of conflict and co-operation, and the unions’ attitude towards environmental issues. Even in a steering alliance with the weakened political élites, a fractalised interest association can no longer or hardly any longer assume steering functions with respect to the overall economy. Dependent on success in the arena of political exchange, an organisation of this type must make every effort to maintain possibilities of influencing the political élites, even at the price of losing associational power and the capability to mobilise and enter into conflict. The balance between conflict and co-operation shifts towards the latter, and what becomes less and

less clear is how these (organisational) power resources can be reproduced by means of which antagonistic co-operation could be enforced if deemed necessary. As a consequence, the unions are no longer able to efficiently perform the function of mediator between interests of the system and union members' interests. For on the one hand, they meanwhile lack the instruments of power to effectively correct systemically caused reproduction crises, while on the other hand, there is no guarantee, either, that the influence of such associations in political exchange is always strong enough to assert the elementary interests of the groups of wage earners still represented by them.

7. Perspectives of research

If we put all the pieces of the puzzle together in the analysis, a picture is formed which differs considerably from the ideal type of the intermediary union. This does not mean, though, that the unions in Germany and other continental European countries have already completed the functional changes outlined above and made them irreversible. Reality is much more complex and contradictory, also as far as the DGB unions are concerned. This statement also applies to the German unions' crisis management. Once it becomes clear that the reality of shop-floor negotiations and conflicts is heterogeneous, one will observe that job security for regular staff does not come naturally and all by itself. It is often only achieved after hard struggles between management and interest representation about concessions and the extent of flexibilisation expected of employees. Shop-floor campaigns against intended layoffs of regular employees or harder working conditions are no rare occurrences, in spite of the crisis. Yet it is quite obvious that in the most common forms of union reaction to the crisis, fractalising tendencies are distinctly present. This can be seen especially also in companies where mobilisations happened during the crisis.

Conflict-oriented works council members in the metal and electrical industry agree in their statements that as a rule, mobilisations are only successful if the matter is about clearly identifiable staff interests. Though even in such cases, desolidarising practices have become frequent on the shop floor. The idea of accepting short-time and pay cuts in order to prevent others from

getting sacked no longer seems automatically acceptable to parts of the workforce. Accordingly, almost 50% of the West German blue- and white-collar workers at a car plant interviewed by us (Dörre et al. 2011) agree with the statement “A society that picks up everybody in its safety net cannot survive”, and an even larger percentage of interviewees consider it necessary to subject the unemployed to greater pressure. In the organisational context of exclusive solidarity of this kind, new methods and forms of organisation (organizing, campaigning, etc.) may well still have their place. Yet they are likely to mutate to technocratic recruitment measures if they are not embedded in a coherent policy of renewal. Without preparedness for conflict and especially without any social and oppositional movement in society, a renewal of structural as well as associational power resources is rather unlikely. Power which has merely been borrowed from the *élites*, on the other hand, may well turn out to be an illusion all too quickly, if it is not backed by the capability to organise and enter into conflict. This assessment also applies in particular to the currently dominant ‘crisis corporatism’. As soon as union participation in state and government decision-making processes begins to appear optional, the operational basis for the current ‘corporatism of weakness’ will crumble away. So the unions’ comeback could very well expire just as quickly as the *élites*’ rekindled affection for them.

The above statement applies to an even greater extent to countries where the unions are no longer even capable of striking any kind of corporative deals. It is possible that in some major continental European countries, the decline of union associational power has already progressed beyond the critical point after which any claim to be representing the entirety of wage earners is nothing but fiction. In Germany, this is already the case at least in the eastern *Länder* that used to constitute the GDR. Faced with a deep crisis of representation, the unions are likely to continue changing in their functions, transforming even more into organisations representing particular interests. It should be clear that this is not only or primarily the result of political incompetence on the part of union leadership groups. To ensure relative job security even for a short term in the automotive value-adding system, in engineering or the chemical and pharmaceutical industry, for example, is a task that union interest policy can avoid only in complete self-

abandonment and also by ignoring opportunities for development of society as a whole. When looking back on the deindustrialisation of the UK, one can hardly deny that the German unions' efforts to at least maintain 'industrial cores' appear quite rational.

Though from the perspective of the power resource approach, the question arises what will happen further if union influence in favour of short-term crisis management is bought for the price of their opting out of a fundamental debate on the deficiencies of the system of financial capitalism. From a distance, the fissures in the structure of the current 'crisis corporatism' (Urban 2010; Ehlscheid et al. 2010) may well remain invisible for another while, but inside Germany, they will be seen quite clearly at the latest once the conflict over the scheduled budget cuts following the first-aid restructuring of the ailing financial system begins to get hotter. The fissures will not lead to the quick collapse and disappearance of 'crisis corporatism' by itself. On the contrary, in particular the two large industrial unions, the *IG BCE* and *IG Metall*, may well tend towards continuing the crisis alliance with part of world market - oriented business and the government, even though officially, protest is raised against the government's cost-cutting programme. In case of the *IG BCE*, this would mean continuing in its orientation towards social partnership in a modified form.¹⁴ To the *IG Metall*, on the other hand, such a course would mean a serious shift in its system of political coordinates. Formerly, especially in its body of functionaries, one of the power centres of a pluralistic political Left, this organisation in its mainstream is meanwhile not far from adopting the selective, industrial-policy-driven corporatism of the other large industrial union. In contrast, the service industry union *Ver.di* on its relatively government-critical course is rather isolated within the Confederation of German Trade Unions. And although in some of its major areas of organisation, such as the civil service, *Ver.di* has only limited options for conflict, this union is becoming more of a catalyst for unconventional action and strikes in areas (such as the recent nursery workers' strike) which for the longest time have been considered marginal as active elements of the organisational power of trade unions.

¹⁴ A course determination worth reading can be found in: Vassiliadis (2010).

In whichever way one may interpret the changes taking place within the DGB, whether as the result of an urgently necessary modernisation, or the abandonment of a claim to make a contribution towards shaping society, the fact remains that these changes cannot be captured by means of the analytical grid of the intermediary organisation. These are changes which can be perceived first of all on the level of meaningful orientation systems (“union ideologies”; Hyman 2001), of normative integration and recruitment of professional as well as voluntary functionaries. The intermediarity concept is unsuitable when sounding out the scope for strategic choice the unions still have left. Although the tendencies towards fractalisation cannot just simply be reversed, the path towards becoming de-politicised representatives of pressure groups is still by no means the only possible direction. What is crucial here is not merely the fact that changes *are* taking place in the functions of unions in society, but especially *in what way* they happen. It is quite possible that the unions, despite gradually losing their rooting in general and even among the specific groups of employees that constitute the majority of their clients nowadays, will be capable of acting inclusively and extending their field of reference to so-called weak interest groups: whether precariously employed, long-term unemployed or the representatives of reproduction interests, without starting off any such alliance policies by making the usual claim for exclusive representation. Even those unions where there is an awareness that they are incapable of providing universal class representation have the option of showing internationalistic behaviour in trans-national value-adding chains, or of limiting their activities to defending particular local interests. They can either open up to welcome new groups, or concentrate on trying to protect a dwindling clientele of regulars. They can also keep their focus fixed on the shop floor and the company, or be prepared for conflict and take the offensive in the political arena.

So although the functional changes are becoming more pronounced, there is still the possibility of strategic choice. In a certain way, the German trade unions are currently confronted with a problem wage earners’ organisations in (semi-)peripheral countries have had to deal with for a long time already: the subordinate classes are so fragmented, not least because of the great differences in social property at their disposal, that any attempt to represent

the resulting heterogeneity via just a few central organisations must invariably generate problems with integration. In contrast to the peripheral capitalisms, wage earners in regular employment in Germany are still in the majority, although, as already elaborated, atypical and precarious forms of employment are spreading rapidly. The difference to earlier phases of capitalist development is that in terms of organisation policy, the resulting heterogeneity can obviously no longer be structured by means of some kind of promise of collective upward mobility. Instead, with such asymmetry in the distribution of social property, rift lines develop, and in any attempt to repair these, an alliance policy involving subordinate classes or class factions and their organised representatives will be of even greater strategic importance than during the Fordist era.

This is even more important because the dual economic and ecological crisis (not just) the western societies are going through demands fundamental reorientation in many respects, and these include union policy. A notion that used to be accepted almost without questioning as at least a temporary way out of an *economic* crisis, the necessity of material economic growth, is now, at least in its conventional application, without doubt contributing towards an intensification of resource scarcity, energy wasting, climate change, and thus an acceleration of the ecological crisis.¹⁵ This implies that also and especially those industries whose continuing existence is the aim of a defensive union policy protecting locations will undoubtedly be subjected to fundamental changes, as well, involving everything from products to required qualifications. A mere policy of maintaining the status quo may well still be successful for a short period, but already in the medium term, the narrow time margin left to begin a substantial course change as far as the (re-)production model is concerned may be lost. No matter whether and in what way the German unions adapt to the new situation: to just continue with corporative industry policy strategies originally devised during the post-WWII era of social bureaucratic capitalism will definitely not produce any appropriate answers to the current, historically new crisis constellation. The pressure on

¹⁵ Among the multitude of publications: Stern (2007); Jackson (2009).

the unions to change will continue; the price to pay for conservative procrastination will be the marginalisation of organized labour interests.

In this phase of functional changes and self-change, trade unions as still highly significant actors in civil society are more than ever in need of research from the social sciences, of critical analytic observation of all transformations. Yet at least in Germany, very little of this kind of research is actually happening. While, surely with good reason, important protagonists of industrial relations research remain within the confines of the paradigm of the unions' representation crisis, others use central concepts from the Fordist phase of capitalist development such as social market economy and intermediary organisation as normative convergence points of their analyses, while claiming to have found answers to the new challenges. In spite of all the plausibilities, both interpretation patterns can easily produce distorted views. What is taking place is by no means a linear decline of all union organisations in all the central capitalisms, nor can union activities during a crisis of transformation be reduced to those mediation services which the concept of intermediary organisation implies. Up-to-date research, in clear distinction to conventional analytic concepts, must engage in three tasks above all.

First, it will be required to fulfill what has merely been formulated as a requirement in this paper. The task is to pursue the possibility of further changes in the functions of trade unions in society with the appropriate analytic distance and to investigate the social consequences of such changes, without being nice about the matter. In the Labour Revitalisation Studies, and also in our own materials, the tendency towards yet another round of functional changes of unions in society has been underestimated up to now. The scope for strategic choice for the unions can only be sounded out if these gradual changes in unions' functions are reflected scientifically, as a possible and to a large extent already factual reality. To intend to undertake such an endeavour implies that the opportunities and limits of union renewal are discussed beforehand in the context of availability of old and new power resources. In the relevant literature, we find agreement that it will hardly be sufficient to keep looking back to the traditional sources of proletarian power on the path away from conflict and opposition and hoping that they might still be there somewhere. In particular in the developed capitalisms, it will be

necessary to find new sources of power for social movements which are not, or not primarily, sparked off by capital-vs.-labour conflicts. Suggestions to identify communicative power as a new resource indicate an important phenomenon. In times of fractalisation, what becomes more and more significant is to hold the dispersing parts together by means of the 'non-coercive coercion' of the better argument, of exchange through language, an information policy of transparency, and the capability for discourse. Solidarity within as well as outside the union organisation more than ever requires communicative, procedural foundations. Nevertheless, in our view, we are concerned primarily with a change in the dimension of ideological power. Collective union identities (Hyman 2001) and belief systems have always been conveyed by communication. In view of the dual economic and ecological crisis, in terms of power strategy the unions will likely mainly be concerned with exploring new syntheses of production and reproduction power. NGOs, women's and ecological movements or also the co-op approaches of an economy of solidarity each have their own specific power resources. Regarding this potential, something similar applies as in case of the 'corporatism of the weak' in a different situation. Power borrowed from others is fictitious power. The unions will thus not just be embraced, welcomed and invited to partake in the sources of reproductive power. It is not merely a matter of an inclusive alliance policy involving these kinds of actors and movements. The unions will also have to formulate political goals that will permit such strategic co-operation. Only under these conditions will it be possible in future to get politicising stimuli from society to enter the trade unions, as it has happened on numerous occasions in the past. This is about content-based co-operation in terms of a joint interest policy, about an association of production- and reproduction-related actors. The term we use in speaking of such a search strategy is associated power.¹⁶

Industrial relations and trade union research attempting to analytically observe the possible recombination of power resources will be required to

¹⁶ Already at the beginning of the decade, Alain Lipietz had predicted a (re-)unification of labour and green movements. This was clearly too optimistic, but should not be excluded as a possibility (Lipietz 2000: 58ff.).

question its own theoretical foundations. In this context, it is necessary to review a *second working hypothesis*, which is: the smaller the size the areas still covered by participation and collective bargaining have been reduced to, the higher the probability of non-normative conflicts in other sectors of society. As a consequence, the social conflict splits apart, as can already be observed today. Those sectors and companies where the class conflict is still 'pacified' by participation and collective bargaining still exist, but more and more, they appear as small islands scattered about a seething ocean. Collective labour (and non-labour-related) interests are therefore often articulated outside the normative conflicts. Also outside disconnected quarters and regions and not only since the crisis, a kind of 'bargaining by riots' is taking place which, despite the undeniable relevance of ethnic or gender-specific constructs, must be deciphered as the spontaneous expression of class action. General strikes, mass protest against layoffs and budget cuts as they have been occurring in Greece, Spain, Portugal, France or more recently in Algeria and Tunisia in the aftermath of the global economic crisis, have partly already assumed the character of uprisings and revolts aiming at conscious breaking of rules, also due to a feeling of powerlessness perceived by many of those involved (Dörre 2010b). All these are symptoms not of the end of organised labour relations, but of a change in their functions. To be able to treat such processes analytically, any research on labour relations and social (class) conflicts must widen the focus on its subject. The thing to do is to resume analytic investigation of labour unrest, non-normative conflict, local unrest, bread-and-butter conflicts flaring up into violent struggle, youth revolts and similar phenomena. The same applies to the strike intensity of unions and political (class) conflict.

It is important, *thirdly*, to scientifically sound out the subjective potentials that can be of use in reviving the trade unions. Renewed labour awareness research will find that staff associations with sovereignty of definition always perceive only a segment of the manifold subjectivities which the workforces they represent consist of. Using the currently available, completely inadequate basis of data, one finds a rather odd constellation: labour awareness among core groups of wage earners at many of the businesses we investigated is characterised by an odd 'dual structure' which can be outlined as

“good company, bad society”. On the one hand, there are many indicators of ‘competitive solidarity’ among regular employees (“We are Porsche”, “We are Karstadt”). Though on the other hand, among many blue- and white-collar workers, we find, apart from symptoms of exclusive solidarity, a latent anti-capitalism, which at present has no political home. A pragmatic “Sociology of Criticism” as suggested by Boltanski (2010) will find an important field of analytic activity in this. Such a kind of sociology can never limit itself to exploring the thoughts, views and attitudes of people in their everyday lives. But it pays them the appropriate attention in a range between understanding rejection and (possibly partial) consideration, in the attempt to revive science-based social criticism (ibid.: 21f.). What is certain, though, is that the current mainstream of industrial relations research is very far from even reflecting everyday shop-floor criticism of capitalism in all its radicalism and disconnectedness. This is yet another reason why innovations are required in theoretical work.

Epilogue

The person who pointed out the quotation at the very beginning to the author of these lines was a union man. This union secretary was quite successfully organising notes of protest against it locally, and he was not the only one. This is intended as a small compensation to all those who are annoyed about being supposed to accept that their work-intensive dedication gets decorated with the label of a fractalised interest association. As this episode once more illustrates, the future of the unions has not been decided yet. There are still opportunities for strategic choice. This does not necessarily mean that the history of the trade unions in the early 21st century will have a new and successful beginning.

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